

Form PTO-1390

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

EXPRESS MAIL LABEL NO.: EL 970613265 us

ATTORNEY'S DOCKET NUMBER: **21085.0050U2**

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/572,732

INTERNATIONAL APPLICATION NO.

PCT/US2004/031141

INTERNATIONAL FILING DATE

21 March 2006

PRIORITY DATE CLAIMED

23 September 2003

TITLE OF INVENTION:

METHODS AND COMPOSITIONS FOR IN VIVO INFLAMMATION MONITORING

APPLICANT(S) FOR DO/EO/US:

ZINN, et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825. The contents of the paper copy and the computer-readable form of the Sequence Listing submitted herewith are the same and include no new matter, as required by 37 C.F.R. 1.821(f).
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. Other items or information:

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) PCT/US2004/031141		INTERNATIONAL APPLICATION NO. 10/572,732		ATTORNEY DOCKET NUMBER 21085.0050U2	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee\$300.00				\$	
22. <input type="checkbox"/> Examination fee If written opinion prepared by ISA/US or the IPER prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)\$ 0.00 All other situations\$200.00				\$ *****	
23. <input type="checkbox"/> Search Fee If written opinion prepared by ISA/US or the IPER prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)\$ 0.00 If Search fee (37 CFR 1.445(a)(2) in International Application to USPTO as ISA.....\$100.00 ISR prepared by an ISA other than the US and provided to USPTO.....\$400.00 All other situations\$500.00				\$ *****	
TOTAL OF 21, 22 AND 23 =				\$ *****	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	No. of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100	/ 50 =		X \$250	\$ ****	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ ****	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	[****] - 20 =	*****	X \$50.00	\$*****	
Independent claims	[***] - 3 =	*****	X \$200.00	\$*****	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$*****	
TOTAL OF ABOVE CALCULATIONS =				\$*****	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2				\$*****	
SUBTOTAL =				\$*****	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 months <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$*****	
TOTAL NATIONAL FEE =				\$*****	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) \$40.00 per property				\$*****	
TOTAL FEES ENCLOSED =				\$0.00	
				Amount to be refunded:	\$
				charged:	\$
a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No.14-0629 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account No. 14-0629. A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. e. <input checked="" type="checkbox"/> Pursuant to 37 C.F.R. §1.136(a)(3), the Commissioner is hereby requested and authorized to treat any concurrent or future reply in the above-identified application, requiring a petition for an extension of time for its timely submission, as incorporating a petition for extension of time for the appropriate length of time.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b) must be filed and granted to restore the application to pending status.					
SEND ALL TO THE ADDRESS ASSOCIATED WITH : Customer No. 23859					
				SIGNATURE	
				HODGES, Robert A.	
				NAME	
				41,072	
				REGISTRATION NUMBER	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
Zinn, et al.)	
)	Art Unit: Unassigned
U.S. Application No. 10/572,732)	
)	
Int'l. Filing Date: 23 September 2004)	Examiner: Unassigned
)	
For: METHODS AND COMPOSITIONS FOR)	Confirmation No.: 5282
IN VIVO INFLAMMATION MONITORING)	

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS TRANSMITTAL

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.
Customer Number 23859

Sir:

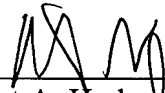
In response to the Notification of Missing Requirements under 35 U.S.C. §371 in the United States Designated/Elected Office dated July 5, 2006 regarding the above-referenced patent application, enclosed are:

1. A copy of the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office;
2. An executed Declaration and Power of Attorney for Patent Application;
3. A paper copy of the Sequence Listing;
4. A copy of the Sequence Listing in computer-readable format; and
5. Sequence Listing Statement

No fee is believed due; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.



Robert A. Hodges
Reg. No. 41,074

NEEDLE & ROSENBERG, P.C.
Customer Number 23859
(678) 420-9300 (telephone)
(678) 420-9301 (facsimile)

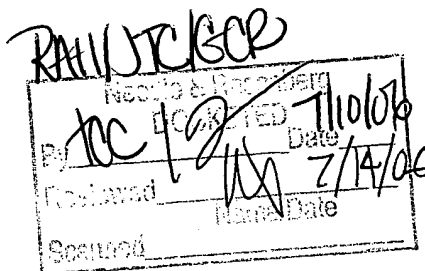


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/572,732	Kurt R Zinn	210850050U2

23859
 NEEDLE & ROSENBERG, P.C.
 SUITE 1000
 999 PEACHTREE STREET
 ATLANTA, GA 30309-3915



INTERNATIONAL APPLICATION NO.	
PCT/US04/31141	
I.A. FILING DATE	PRIORITY DATE
09/23/2004	09/23/2003

CONFIRMATION NO. 5282
 371 FORMALITIES LETTER



OC000000019461532

Date Mailed: 07/05/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 03/21/2006
- Biochemical Sequence Diskette filed on 03/21/2006
- Biochemical Sequence Listing filed on 03/21/2006
- U.S. Basic National Fees filed on 03/21/2006
- Priority Documents filed on 03/21/2006
- Specification filed on 03/21/2006
- Claims filed on 03/21/2006
- Abstracts filed on 03/21/2006
- Drawings filed on 03/21/2006
- Paper nucleotide sequence listings filed on 03/21/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

RECEIVED

JUL 10 2006

NEEDLE & ROSENBERG

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/572,732	PCT/US04/31141	210850050U2

FORM PCT/DO/EO/905 (371 Formalities Notice)